CHIEF OF DETECTIVES

NOTICE
1.8

May 19, 2017

TO: All Concerned Personnel

FROM: Chief of Detectives

SUBJECT: GUIDELINES FOR THE SALE OF "OFF ROSTER" FIREARMS BY DEPARTMENT PERSONNEL WITHOUT A FEDERAL FIREARMS LICENSE

This Notice has been prepared to advise and educate all Department Personnel about the requirements for obtaining a Federal Firearms License (FFL) before engaging in the business of buying and selling firearms for profit.

Federal firearms laws provide that a "dealer" in firearms includes persons engaged in the business of buying and selling firearms at wholesale and retail. Per Title 18, United States Code, Section 921(a)(11), a person engages in business as a dealer in firearms by devoting time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms.

Per Title 18, United States Code, Section 921(a)(21)(C), ***a law enforcement official who regularly acquires "off roster" firearms and sells or disposes of them for a profit is engaging in the business as a dealer of firearms and must be licensed.***

Note: Current California State Law restricts Federal Firearms License sales of "off roster" firearms to law enforcement only.

A person convicted of unlawfully engaging in the business of dealing in firearms without a Federal Firearms License is subject to imprisonment for not more that (5) years and/or a fine of up to $250,000.

Should you have any questions regarding this Notice, contact Investigative Analysis Section, Detective Bureau at (213) 486-7010.

APPROVED:

JUSTIN EISENBERG, Deputy Chief
Chief of Detectives

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